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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/445,004	12/03/1999	RISTO FORSSTROM	3397-84PUS	9344

7590 05/21/2003

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EXAMINER

PARADISO, JOHN ROGER

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 05/21/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/445,004

Applicant(s)

FORSSTROM ET AL.

Examiner

John R. Paradiso

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 2/21/2003 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over EAVES ET AL in view of ZELENKA (US 5092104) and PETER ET AL.
4. EAVES ET AL discloses a wrapping machine in which a supply roll (13) of paper is rolled out, the leading edge of the paper web (12) being drawn between drawing rollers (44) and past sensors (48) to determine the web's presence/position. The web falls onto the wrapping surface and is used to wrap articles. (See EAVES ET AL Figure 1.)
5. EAVES ET AL does not specifically disclose the leading edge of the web being guided to the drawing rollers by an air nozzle or the supply roll being turned in a reverse direction until the leading edge is sensed on the table.

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6. ZELENKA discloses a method of packaging in which an air nozzle (119) blows air over the leading edge of a bag (the top and bottom of which is being read as webs) to direct the edge into position for further treatment. (See ZELENKA Figure 1.)

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use an air nozzle, as taught by ZELENKA, in the invention of EAVES ET AL in order to guide the leading edge of the web onto the table and to the drawing means without manual aid and without using more physical means that could crimp or damage the web.

8. The combination of EAVES ET AL and ZELENKA does not disclose the supply roll being turned in a reverse direction until the leading edge is sensed on the table.

9. PETER ET AL discloses a threading system in which a supply roll (40) is rotated opposite its feed direction until the leading edge of the web is sensed by sensors (94, 98) on the flowpath table side. The leading edge is blown toward the drawing means by an air flow (76). The supply roll is then turned in a feed direction. (See PETER ET AL column 7 lines 45-62).

10. It would also have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of EAVES ET AL and ZELENKA to turn the supply roll in a reverse direction until the end is caught by the air flow, as taught by PETER ET AL, in order to allow the air flow to do the work of threading the leading edge and minimizing human contact.

Reference Citations

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11. The following prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure:

- MORIZZO discloses a method of packaging using an air nozzle to direct the web of material.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Paradiso. The examiner can normally be reached Monday-Friday, 9:30 p.m. – 6:00 p.m. (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached at the number listed below.

Any inquiry of a general nature or relating to the status of this application should be directed to the 3700 Technology Center receptionist.



Examiner John Paradiso: (703) 308-2825

May 17, 2003

Additional Phone Numbers

Supervisor Rinaldi Rada: (703) 308-2187
Receptionist: (703) 308-1148
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